

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GUSTAVO BERMUDEZ,

PLAINTIFF,

07 CIV. 9537 (HB)

VS.

CITY OF NEW YORK POLICE
DEPARTMENT AND THE UNITED
STATES DRUG ENFORCEMENT
ADMINISTRATION,

DEFENDANTS.

X-----X

AFFIDAVIT OF JOHN STEWART

I, John Stewart having been duly sworn, depose and state:

1. I am over the age of 18 years and understand the obligation of an oath.
2. I am currently employed as an administrative assistant with the law offices of Russell & Pastore, LLC.
3. On October 27, 2006 I contacted the City of New York Bronx 50th Precinct in an effort to ascertain the whereabouts of certain funds that had been seized from Gustavo Bermudez by the New York Police Department, specifically by Sgt. Crawley.
4. The desk sergeant informed me that Sgt. Crawley was a member of a special unit and that I would need to call One Police Plaza in order to contact Sgt. Crawley. I contacted One

Police Plaza and was informed that Sgt. Crawley's contact information could not be given out but that I could leave my contact information and that he would get back to me.

5. Sgt. Crawley did not respond to my inquiries.

6. On November 14, 2006 I contacted the Property Clerk at the New York Police Department Bronx 50th Precinct to repeat my inquiry into the whereabouts of Mr. Bermudez's seized funds.

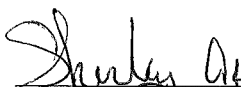
7. I was informed by a Sergeant at the property clerk's office that he could not locate any information regarding the seized funds. The Sergeant explained that he reviewed every single forfeiture voucher but could find none that concerned either the amount of seized funds in question or Mr. Bermudez.

8. The Sergeant then suggested that I contact either the Internal Affairs Bureau or the Legal Bureau for further information.

THE AFFIANT

John Stewart

Subscribed and sworn to before me
this 24th day of March, 2008.



Notary Public
My Commission expires:

Shirley A. Reinoso
NOTARY PUBLIC
State of Connecticut
My Commission Expires
June 30, 2010